

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DENNIS RAY ARMSTRONG,

Plaintiff,

v.

SHERIFF KIM GAFFNEY, Officer JILL RATA CZAK,
Captain CHRIS KUHL, DR. BUTLER and
JANE DOE NURSES,

Defendants.

ORDER

10-cv-663-slc

In an order entered in this case on November 2, 2010, I told plaintiff that before I could consider his request to proceed *in forma pauperis* he would have to submit a trust fund account statement covering the six-month period preceding the filing of his complaint so that I could assess an initial partial payment of the \$350 fee for filing this case. Plaintiff has submitted the requested statement. From the statement, I have calculated plaintiff's initial partial payment to be \$30.60.

Plaintiff is reminded that paying the amount I have determined he is able to pay is just the first step in obtaining leave to proceed *in forma pauperis* under 28 U.S.C. § 1915. After the court receives his payment, plaintiff's complaint will be taken under advisement for a determination under § 1915(e)(2) whether his action or any portion of it must be dismissed as frivolous or malicious, for failure to state a claim on which relief may be granted or because plaintiff seek monetary relief against a defendant who is immune from such relief.

ORDER

IT IS ORDERED that plaintiff qualifies financially for pauper status on the condition that he prepay \$30.60 of the \$350 filing fee. He is to submit a check or money order made payable to the clerk of court in that amount on or before December 30, 2010. If, by December 30, 2010, plaintiff fails to prepay the amount he has been ordered to pay, I will dismiss this case for his failure to prosecute.

Entered this 9th day of December, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge